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tracts and to market value." I dissent *in toto* from this statement. But first it should be understood and constantly borne in mind that it was the tenant's improvements that gave all the value to the land over and above certain inherent capabilities which his expenditure started into activity. These inherent capabilities must be regarded in fixing the fair rent. Their importance as a factor is recognized at least to the full in the leading case of *Adams v. Dunseath* (Irish Law Reports, vol. for 1882); and in practice sub-commissions have given them an excessive value.

Moreover, the act of 1870 limited the time which a tenant could go back in making a claim for compensation for improvements to twenty years before the filing of the claim. This act, incorporated with the act of 1881 for all purposes, consequently confers upon the landlord the property in all improvements made before twenty years. This in effect has bestowed by far the greater part of the value in the improvements upon the landlord, and has prevented the reduction of rents below what lawyers call the "rack rent"—that is, the highest letting value.

If, then, the sub-commissions cannot reduce rent below the "rack rent," where did the 25 per cent. over and above that value come from which tenants had to pay under the old untrammelled license which enabled landlords to hunt them like vermin off the land if they would not comply with whatever might be exacted? I can give the answer in the words of Swift, writing on the same subject in 1729—"from the blood and vitals of the tenants."

With the terrible power landlords possess in being able to evict tenants owing a year's rent, and thereby depriving them of all interest in their land, it is idle to say that the relation of landlord and tenant has been changed from a contract for six months into an interest in perpetuity. If the perpetuity had been conferred in reality, the condition of the country would be widely different from what it is. We should not read of the rule of anarchy, whether from above or from below, which has made Ireland for the last four years a sign and a wonder to the world. We should not have a decreasing population side by side with an increasing pressure of the residue against subsistence, and we should not have a government representing the landlords bringing forward a measure in Parliament to terminate landlordism forever.

GEORGE McDERMOT.

#### FAIR PLAY FOR THE INDIAN.

IF SPACE in THE NORTH AMERICAN REVIEW permits, I should like to make a few remarks upon General Miles's article, "The Future of the Indian Question," published in the January number.

General Miles says: "Again, take the Sioux nation that committed the terrible massacre of '62," etc. The Sioux, as a nation, did not commit that terrible massacre. One might as justly say that the Sioux as a nation fought the Sioux. In 1862 the money due the Sioux from the sale of lands was sent to them in gold; the agent paid them in greenbacks, pocketing the difference. The Indians protested against this, insisting upon all that was due, but the agent refused to give it to them. Their treaty stipulations were not kept by the government, and their annuities were in arrears; they were consequently suffering for food, but must starve, though provisions were in the government warehouse. Becoming desperate, they broke into the storehouse, and thus began the outbreak, these Sioux being designated as hostile.

Others of the Sioux rescued white men, women, and children from these warriors, risked their lives to carry them to safe places, sheltered them and fed them; others fled, as much victims of the outbreak as white people. Some of the Sioux now at Yankton Agency were organized as scouts under General Sibley, who said that "they proved more effectual than twice that number of white soldiers"; but the white troops received a salary, while the scouts have not yet been paid. And now, twenty-nine years after, these starving Sioux, brave, loyal fellows, are asking for this money due them; they want it to buy food for their families; otherwise they must watch them die for lack of nourishment. The crops this year have failed, and there is not work enough to keep them all earning something during the winter in a farming community.

Others of the Sioux, "who were known to be absolutely guiltless of any acts of hostility," but "deserving of reward for the rescue of white captives," says the Commissioner of Indian Affairs, were made prisoners and their property confiscated. Two hundred and fifty friendly Indian farmers lost not only their homes, taken by the government, but their crops and their herds of stock; \$125,000 worth of their property was used to feed United States soldiers and prisoners. After repeated urging, Congress appropriated \$7,500 for these farmers; what the government had taken the government refused to pay, and to-day we honestly owe the Sioux \$117,500 of this debt. These loyal farmers, who had fed the troops and committed no hostilities, were deprived of their annuities for four years, and sent to another State, where they lived in want, suffering for food; having been deprived of their homes, their stock, clothing, and furniture. The Indian Commissioner in 1868 wrote: "What I ask for them is that our government restore to them a part of what we took, and give them the same chance to live and thrive which we give to all the other inhabitants of our country, whether white or black." It would be unjust for any one to pass over this bit of Sioux history knowingly.

General Miles also says that in 1876 the Sioux "were again openly hostile"—because the government drove them to desperation. Owing to a failure in appropriation, the supplies did not come. The crops and vegetables were destroyed by grasshoppers. Unless one witnessed this devastation, as I did, it would be difficult to realize it. Their farming implements, schools, and teachers were not furnished as per treaty—have not been furnished, as promised, up to the present moment. People constantly told them that they were to be removed to another territory. When these starving creatures left the reservation to seek game, in order to save the lives of their wives and children, troops were sent to arrest them. In violation of the treaty stipulation the Black Hills had been entered. Put yourself in such conditions as these Indians were placed in, and see if you, even with years of civilization and Christianity as an inheritance, would not conclude that it were better to escape and die, if needs must, rather than calmly starve. They slipped away from the agency and joined Sitting Bull. No wonder that they "were again openly hostile."

In 1877, according to General Miles, "their war ponies were sold and the proceeds returned to them in domestic stock." General Miles would not have made such a statement had he not believed it true. I am very glad to be able to call attention to this matter. It is true the war ponies of the Sioux were seized, but it was in direct violation of Article 8 of their last-concluded treaty. Not only the ponies but the mules were seized by order

of the War Department. This property was sold; from the sale of the horses alone the War Department received \$19,412.96. The Indians were told that the loss would be made good; so 450 cows were given them, valued at not more than \$20 each, amounting to \$9,000. Instead of the proceeds of the sale of war ponies being returned in domestic stock, \$10,000 is still due these Indians, and they have been asking for fourteen years where their \$10,000 is.

General Miles believes the messiah was a messenger of war. Most of the people in the Indian country believed him to have been a messenger of peace. Bright Eyes says the Sioux looked upon the messiah as a messenger of peace; no weapons were allowed in the ghost-dance, not even a piece of iron; the first serious trouble occurred when the troops came to the ghost-dance with their weapons; this the Sioux looked upon as an insult to their sacred dance. Bright Eyes is at Pine Ridge, among the Sioux; she is an Indian, an educated, cultivated Ponca, and has been sent there to get at the truth, and has a better opportunity of knowing the true state of affairs than any white person at a distance, or even there.

The present trouble with the Sioux was caused, first, by the autocratic power of one incompetent individual over a community of individuals; secondly, by the failure of crops and the immediate reduction of food by the government, so that five and six people were dying daily from starvation. The failure of crops was caused by drought. To the white farmers thus suffering money and food were sent, but the Indian's ration was reduced; unsuitable farming implements were sent him, made of poor material; threshers where there was no wheat to thresh; corn-shellers where no corn would grow. Schools as per treaty, domestic animals, and wagons were not forthcoming, though the United States has three million dollars in the treasury belonging to the Sioux. Before their land was properly surveyed eleven million acres were opened to settlers. Those Indians who had built themselves houses and owned respectable farms were told that when the land was allotted their farms would be elsewhere. All this is summed up in "the Indians became restless."

The white man who posed as the messiah has been arrested. What is to be done with him? Sitting Bull was killed because he preached the messiah to the Sioux, though Sitting Bull offered to go with the agent and find out in different places if there was a fraud, and so no messiah. Sitting Bull, a superstitious, ignorant, cunning medicine-man, was killed in violation of both civil and military law, and the result is a war. His followers surrendered 250 women and children and 150 fighting men. The troops searched them because they did not yield up their weapons. The truth of what these Indians had been told flashed upon them; they were to be torn from their homes and sent to Florida. With one bound they faced death; the troops outnumbered them, and the Indians knew what this meant; but they fought "like red devils," says the newspaper correspondent; had they been white men it would have read "they fought bravely."

Bright Eyes writes to me December 28: "The rumor is that they are to take the hostiles—who were not hostile, mark you, and who have not taken a single life—to Florida. If true, it is the most outrageous performance yet. The country ought to ring with it. As the soldiers express it, they did not know what in the world they were brought here for in the first place; the Indians seem to look at it as an outbreak of the army instead of an outbreak of themselves. The idea of tearing these people away from

their homes because many of them fled from fear into the Bad Lands. I hope every paper in the land will open a broadside on whoever has done this."

When the battle reported at Daly's ranch is sifted, it turns out that one of the men, feeling pity for some starving Indian women, gave them two rams. The first intense battle at Pine Ridge was purely a newspaper space-filler; no one at Pine Ridge, I have accurate information, knew of the battle. When General Brook sent out to tell the Sioux to come into the agency, people interested in keeping them out told them they would be made prisoners and sent to the Indian Territory. The lower class of white people want troops because it puts money in their pockets; men who received but \$1 a day before the troops came now get \$5. One man who has a contract for forwarding supplies to Pine Ridge from Rushville gets \$561 a day; people have contracts for supplying troops at Pine Ridge with three hundred tons of hay and over two hundred pounds of oats alone.

Newspaper correspondents sent out there have been determined to telegraph something; so the military authorities have been annoyed and the good work they might have done has been hampered by sensational press despatches. All these mistakes, with the false move of killing Sitting Bull, have forced an Indian war.

To make this impossible in the future there is but one course to take. It is absurd to pauperize the Indian by giving him either food or clothing; it is beyond reason to place any people under autocratic rule in this country; it is useless to give money destined for private individuals into the hands of politicians; not that our politicians are as a class dishonest, but that a temptation to cheat what people call the government, not realizing it is the people, seems too great for hitherto-honest persons to resist. We ought no longer to try impossibilities, but at once make each Indian amenable to the law of the State or territory in which he resides by making him a citizen. Treat him as a responsible individual, as has been done in Nebraska, and he will earn his own living, be willing to educate his children, learn not to be cheated. Do not chain him to the ground, as in Nebraska, by forcing him to farm whether he wills or not; let him rent his land and practise a trade there or elsewhere.

Until the Indian is a citizen, subject to the same privileges and penalties as are other men in this country, we may expect war, expensive in loss of life, loss of money, and loss of prosperity in that part of the country where it occurs.

GEORGE TRUMAN KERCHEVAL.

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### THE CONVICT AND THE CHURCH.

THE recent action of a well-known church in determining to retain upon its roll of membership a man convicted of the crime of forgery and sentenced to a term of imprisonment extending over seventeen years has very naturally attracted a good deal of attention and called forth no small amount of comment. In some quarters the church in question has been warmly commended for a course which is declared to be precisely in the spirit of the founder of Christianity, while by others its action has been roundly denounced.

Without naming any names, let us consider the facts for a moment.

S— was a man whose reputation both socially and as a business man